DETAILED ACTION

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Jesus Del Castillo, Reg. 51,604, on November 19th, 2009.

2.   The claims should be amended to read as follows:

Claim 1:

A method of taking notes in a notes document using a note-taking device, the method

comprising:

generating a first request at the note-taking device during a first presentation,

wherein the first request identifies a portion of a first information captured during the first

presentation to insert in a first location in the notes document, the first information

comprising information captured by one or more capture devices while the first

presentation is proceeding;

determining if the note-taking device can communicate with a server configured to communicate one or more portions of the information captured by the one or more capture devices;

storing the first request in the notes document upon determining that the note-taking device cannot communicate with the server;

determining, subsequent to storing the first request in the notes document, if the note-taking device can communicate with the server; and

communicating the first request from the note-taking device to the server upon determining that the note-taking device can communicate with the server;

wherein the note-taking device is a computing device that enables a user to enter notes.

Claim 35:

A computer-readable storage medium storing a computer program product executable by a processor for taking notes, the computer program product comprising:

code for generating during a first presentation, at the note-taking device, a first request, wherein the first request identifies a portion of a first information captured during the first presentation to insert in a first location in the notes document, the first information comprising information captured by one or more capture devices while the first presentation is proceeding;

code for determining if the note-taking device can communicate with a server

configured to communicate one or more portions of the information captured by the one

or more capture devices;

code for storing the first request in the notes document upon determining that

note-taking device cannot communicate with the server; and

code for determining if note-taking device can communicate with the server,

subsequent to storing the first request in the notes document; and

code for communicating the first request from the note-taking device to the server

upon determining that the note-taking device can communicate with the server;

wherein the note-taking device is a computing device that enables a user to enter

notes.

Claim 52:

A device comprising:

a processor; and

a memory coupled to the processor, the memory storing a program that when

executed by the processor causes the processor to:

execute a composing application that creates a notes document for storing

notes;

configure a first request during a first presentation., wherein the first

request identifies requested information from the first presentation to insert in a

location in the notes document and the requested information from the first

presentation is captured while the first presentation is proceeding;

      determine if the processor can communicate with a server <u>configured to</u>

<u>communicate one or more portions of the information captured</u>;

      store the request in the notes document upon determining that the

processor cannot communicate with the server;

      determine if the processor can communicate with the server, subsequent

to storing the request in the notes document; and

      communicate the request from the notes document to the server upon

determining that the processor can communicate with the server;

wherein the program is configured to enable the user to enter notes.

Allowable Subject Matter

3.   Claims 1, 4-18, 21-35, and 38-52 are allowed.

4.   The following is an Examiner's Statement of Reasons for Allowance:

      In interpreting the claims, in light of the specification and the applicant's

amendments filed September 8th, 2009, the Examiner finds the claimed invention to be

patentably distinct from the prior art of record. The prior art does not teach all of the

limitations of the independent claims in combination with the other elements presented.

      The prior art of record teaches generating a first request a note-taking device that

identifies a portion of information to insert in a notes document comprising information

captured by a capture device (Hind, see, e.g., paragraphs 0026, 0027, 0031, 0045, abstract, and fig. 3B). The prior art further teaches network-based information retrieval that services requests after determining if the target server of a device request is available or unavailable for communication (Conway, see paragraphs 0040-0042, 0045, 0047, 0049, fig. 5, fig. 6, and abstract).

However, as per claims 1, 4-18, 21-35, and 38-52, the prior art fails to teach generating a first request at a note-taking device during a first presentation where the request identifies a portion of information captured during the presentation to insert in a notes document, storing the request in the document upon determining a failure to communicate with the server that can communicate the captured information, and communicating the information upon determining that the note-taking device can communicate with the server. These limitations distinguish the claimed invention from the prior art of record when taken in the environment of the full claim language.

5.   Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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/NT/
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